



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,463	09/20/2004	Bogdan Radu	MASL-59	5462
37690 7590 03/21/2007 WOOD, HERRON & EVANS, LLP (LEAR) 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			EXAMINER LUKS, JEREMY AUSTIN	
			ART UNIT 2837	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/21/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/711,463

Applicant(s)

RADU ET AL.

Examiner

Jeremy Luks

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/16/06, 11/16/06, 1/2/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes (6,158,869) in view of Moser (DE 20302250 U1 – English translation provided for clarity from Moser EP 1448027, which claims priority to DE 20302250 U1). Barnes teaches an automotive interior component (Figures 1 and 2, #12) for use with an audio speaker (Col. 2, Lines 57-63) of a vehicle (10), comprising: a door trim panel (14); a speaker grille (16) mounted to said door trim panel (14) (Col. 2, Lines 57-63), said speaker grille (16) with a plurality of sound passages (24) for transmitting sound emitted by the audio speaker (Col. 3, Lines 1-18); and a lamp or light emitting source (18) positioned between the audio speaker and said speaker grille (16), said lamp or light emitting source (18) oriented for emitting visible light, when powered; and wherein said lamp or light emitting source (18) mounted to the speaker grille (16). ^{Barnes} ~~Stuffle~~ fails to teach wherein the lamp or light emitting source is an electroluminescent lamp, positioned between the audio speaker and said speaker grille, said electroluminescent lamp oriented for emitting light through said sound passages; wherein said electroluminescent lamp is integrally molded with said speaker grille to form a unitary assembly; wherein said speaker grille and said door trim panel comprise a unitary, integrally molded body; an audio signal source coupled with the audio speaker; and a

controller connected between said audio signal source and said electroluminescent lamp, said controller capable of converting output signals from said audio signal source into changes in light intensity of the visible light emitted from said electroluminescent lamp.. Moser teaches an electroluminescent lamp (Figure 1, #2-6) for a vehicle interior lighting (Translation, Page 2, [0004]), positioned between an audio speaker (1) and said speaker grille of Barnes when used in combination, said electroluminescent lamp (2-6) oriented for emitting light, through the sound passages of Barnes when used in combination; an audio signal source (7) coupled (via lines #8) with the audio speaker (1); and a controller (10) connected (via lines #9 and 14) between said audio signal source (7) and said electroluminescent lamp (2-6), said controller capable of converting output signals from said audio signal source (7) into changes in light intensity of the visible light emitted from said electroluminescent lamp (2-6) (Translation, Pages 5-6, [0015]-[0017]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Barnes, with the apparatus of Moser to allow for multiple colors to be emitted from a single light, brightness changes depending on music being played, as well as lower power consumption and heat generation. Moser fails to teach wherein said electroluminescent lamp is integrally molded with said speaker grille to form a unitary assembly; and wherein said speaker grille and said door trim panel comprise a unitary, integrally molded body. However, The method of forming a device is not germane to the issue of patentability of the device itself. Therefore, this limitation has been given little patentable weight.

2. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes (6,158,869) in view of Moser (DE 20302250 U1 – English translation provided

for clarity from Moser EP 1448027, which claims priority to DE 20302250 U1), as applied to claim 1 above, and further in view of Reich (2003/0048912). Barnes and Moser are relied upon for the reasons and disclosures set forth above. Moser further teaches an electroluminescent lamp (Figure 1, #2-6). Barnes and Moser fail to teach wherein said electroluminescent lamp includes a plurality of apertures registered with said sound passages, said apertures for transmitting sound emitted by the audio speaker, and wherein said apertures are smaller in diameter than said sound passages and circumscribed by said sound passages. Reich teaches wherein an optical lamp structure (Figure 1, #30, 32 and 40,42) includes a plurality of apertures (50) registered with said sound passages of Barnes when used in combination, said apertures (50) for transmitting sound emitted by the audio speaker (Page 2, [0018], [0021]), and wherein said apertures (50) are smaller in diameter than said sound passages of Barnes and are circumscribed by said sound passages when used in combination. Further, a change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Barnes as modified, with the apparatus of Reich to allow sound waves to pass through the lighting device without obstructions.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent arts of record relating to door trim speaker grilles with electroluminescent lamps are disclosed in the PTO-892.

Art Unit: 2837

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Luks whose telephone number is (571) 272-2707. The examiner can normally be reached on Monday-Thursday 8:30-6:00, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy Luks
Patent Examiner
Art Unit 2837
Class 181


LINCOLN DONOVAN
SUPERVISORY PATENT EXAMINER